

# HOUSE BILL 1028

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4r3111  
CF SB 951

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By: **Delegate Allen**

Introduced and read first time: February 5, 2024

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Electric Vehicle Supply Equipment – Regulations for**  
3 **Retail Use**

4 FOR the purpose of requiring the Comptroller to adopt regulations for the retail use of  
5 electric vehicle supply equipment in the State; requiring the Comptroller, in  
6 consultation with the Public Service Commission, to submit a report on the  
7 development and enforcement of the regulations adopted under this Act to the  
8 General Assembly on or before a certain date; and generally relating to electric  
9 vehicle supply equipment.

10 BY adding to

11 Article – Business Regulation

12 Section 19–1001 through 19–1003 to be under the new subtitle “Subtitle 10. Electric  
13 Vehicle Supply Equipment”

14 Annotated Code of Maryland

15 (2015 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, without amendments,

17 Article – Public Utilities

18 Section 7–901(a), (b), and (e)

19 Annotated Code of Maryland

20 (2020 Replacement Volume and 2023 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

22 That the Laws of Maryland read as follows:

23 **Article – Business Regulation**

24 **SUBTITLE 10. ELECTRIC VEHICLE SUPPLY EQUIPMENT.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **19-1001.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
3 INDICATED.

4 (B) “DIRECT CURRENT FAST CHARGER” MEANS EV SUPPLY EQUIPMENT:

5 (1) CAPABLE OF SUPPLYING DIRECT CURRENT ELECTRICITY TO AN  
6 ELECTRIC VEHICLE; AND

7 (2) FITTED WITH AN EV CHARGING CONNECTOR.

8 (C) “EV CHARGING CONNECTOR” MEANS A DEVICE THAT ATTACHES AN  
9 ELECTRIC VEHICLE TO AN EV CHARGING PORT TO FACILITATE THE TRANSFER OF  
10 ELECTRICITY TO AN ELECTRIC VEHICLE.

11 (D) “EV CHARGING PORT” MEANS THE PORTION OF AN EV CHARGING  
12 STATION THAT ATTACHES AN EV CHARGING CONNECTOR WITH THE EV CHARGING  
13 STATION.

14 (E) “EV CHARGING STATION” MEANS A CONNECTED POINT IN EV SUPPLY  
15 EQUIPMENT:

16 (1) AT WHICH CURRENT IS TAKEN TO CHARGE A BATTERY OR ANY  
17 OTHER ENERGY STORAGE DEVICE IN AN ELECTRIC VEHICLE; AND

18 (2) CAPABLE OF PROVIDING CHARGING THAT IS AT LEAST:

19 (I) LEVEL 2 CHARGING; OR

20 (II) DIRECT CURRENT FAST CHARGER CHARGING.

21 (F) “EV SERVICE PROVIDER” MEANS AN ENTITY RESPONSIBLE FOR  
22 OPERATING ONE OR MORE EV SUPPLY EQUIPMENT UNITS, INCLUDING BEING  
23 RESPONSIBLE FOR:

24 (1) SENDING OR RECEIVING COMMANDS OR MESSAGES TO AN EV  
25 CHARGING NETWORK AS DEFINED IN § 7-901 OF THE PUBLIC UTILITIES ARTICLE;  
26 AND

27 (2) PROVIDING BILLING, MAINTENANCE, RESERVATIONS, AND OTHER  
28 SERVICES FOR AN EV SUPPLY EQUIPMENT UNIT.

1 (G) "EV SUPPLY EQUIPMENT" MEANS A UNIT THAT CONTROLS THE POWER  
2 SUPPLY TO ONE OR MORE ELECTRIC VEHICLES AT AN EV CHARGING STATION.

3 (H) "LEVEL 2 CHARGING" HAS THE MEANING STATED IN § 7-901 OF THE  
4 PUBLIC UTILITIES ARTICLE.

5 (I) "UPTIME" MEANS THE AVAILABILITY AND CONSISTENCY OF AN EV  
6 CHARGING STATION TO SUCCESSFULLY DISPENSE ELECTRICITY AS DESIGNED,  
7 MEASURED AS A PERCENTAGE OF BOTH HOURS AND DAYS OF A CALENDAR YEAR.

8 19-1002.

9 THIS SUBTITLE DOES NOT APPLY TO:

10 (1) EV SUPPLY EQUIPMENT THAT IS USED FOR NONCOMMERCIAL  
11 PURPOSES; OR

12 (2) EV SUPPLY EQUIPMENT THAT SUPPLIES WHOLESALE  
13 ELECTRICITY.

14 19-1003.

15 (A) THE COMPTROLLER SHALL ADOPT REGULATIONS FOR THE RETAIL USE  
16 OF EV SUPPLY EQUIPMENT IN THE STATE.

17 (B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE REGULATIONS  
18 SHALL:

19 (1) ESTABLISH DIFFERENT PAYMENT OPTIONS FOR THE RETAIL USE  
20 OF EV SUPPLY EQUIPMENT, INCLUDING:

21 (I) CREDIT CARD, MOBILE PHONE, AND TOLL-FREE NUMBER  
22 PAYMENT OPTIONS; AND

23 (II) OPTIONS FOR CUSTOMERS WITH DISABILITIES AND  
24 NON-ENGLISH SPEAKING CUSTOMERS;

25 (2) PROHIBIT AN EV SERVICE PROVIDER FROM REQUIRING A  
26 SUBSCRIPTION OR MEMBERSHIP TO INITIATE A CHARGING SESSION;

27 (3) AUTHORIZE AN EV SERVICE PROVIDER TO OFFER SERVICES ON A  
28 SUBSCRIPTION OR MEMBERSHIP BASIS;

1           **(4) ESTABLISH REQUIREMENTS FOR TRANSPARENT INFORMATION**  
2 **REGARDING EV CHARGING STATIONS, INCLUDING CHARGING RATES, LOCATION,**  
3 **ACCESSIBILITY, AND REAL-TIME AVAILABILITY;**

4           **(5) ENABLE USERS WHO HAVE A SUBSCRIPTION OR MEMBERSHIP**  
5 **WITH AN EV SERVICE PROVIDER TO USE AN EV CHARGING STATION THAT IS NOT**  
6 **PART OF THE SUBSCRIPTION OR MEMBERSHIP;**

7           **(6) ESTABLISH EMPLOYEE TRAINING OR CERTIFICATION**  
8 **REQUIREMENTS FOR INDIVIDUALS WHO INSTALL OR PERFORM MAINTENANCE ON**  
9 **EV SUPPLY EQUIPMENT;**

10           **(7) ESTABLISH MINIMUM POWER OUTPUT LIMITS FOR EV SUPPLY**  
11 **EQUIPMENT AND EV CHARGING STATIONS;**

12           **(8) ESTABLISH REGISTRATION AND CERTIFICATION REQUIREMENTS;**

13           **(9) REQUIRE THE SUBMISSION OF REPORTS ON EV SUPPLY**  
14 **EQUIPMENT TO:**

15                   **(I) THE OFFICE OF THE COMPTROLLER;**

16                   **(II) THE PUBLIC SERVICE COMMISSION; AND**

17                   **(III) THE ALTERNATIVE FUELS DATA CENTER IN THE U.S.**  
18 **DEPARTMENT OF ENERGY;**

19           **(10) ESTABLISH LABELING REQUIREMENTS, INCLUDING LABELING**  
20 **REQUIREMENTS FOR EV CHARGING STATION CHARGING RATES, CAPACITY, AND**  
21 **VOLTAGE;**

22           **(11) REQUIRE AN UPTIME OF 97%;**

23           **(12) SPECIFY HOW UPTIME WILL BE MEASURED, INCLUDING:**

24                   **(I) WHETHER UPTIME MUST BE CALCULATED PER EV**  
25 **CHARGING PORT OR PER EV CHARGING CONNECTOR;**

26                   **(II) THE DATE TO WHICH DOWNTIME IS BACKDATED; AND**

27                   **(III) WHETHER DOWNTIME INCLUDES EV CHARGING STATION**  
28 **DISCONNECTION OR BROKEN INTERFACE FEATURES WHEN THE EV SUPPLY**  
29 **EQUIPMENT CAN STILL OUTPUT ELECTRICITY;**

1           **(13) IF DETERMINED APPROPRIATE BY THE COMPTROLLER,**  
2 **ESTABLISH EXEMPTIONS FROM THE UPTIME REQUIREMENT OF 97%;**

3           **(14) ESTABLISH CUSTOMER SUPPORT REQUIREMENTS, INCLUDING:**

4                   **(I) LABELING REQUIREMENTS FOR PROVIDING CUSTOMER**  
5 **SUPPORT INFORMATION ON AN EV CHARGING STATION; AND**

6                   **(II) MINIMUM HOURS OF OPERATION FOR:**

7                           **1. GENERAL CUSTOMER SERVICE NEEDS; AND**

8                           **2. PROVIDING OR DISPATCHING CUSTOMER**  
9 **ASSISTANCE;**

10           **(15) ESTABLISH MINIMUM HOURS OF OPERATION FOR EV CHARGING**  
11 **STATIONS;**

12           **(16) REQUIRE PROACTIVE MONITORING OF EV SUPPLY EQUIPMENT**  
13 **AND EV CHARGING STATIONS;**

14           **(17) ESTABLISH STANDARDS AND PROCEDURES FOR ACCURATE FIELD**  
15 **STANDARDS IN ACCORDANCE WITH THE MOST RECENT EDITION OF THE NATIONAL**  
16 **INSTITUTE OF STANDARDS AND TECHNOLOGY HANDBOOK 44;**

17           **(18) IF DETERMINED APPROPRIATE BY THE COMPTROLLER,**  
18 **ESTABLISH STANDARDS FOR THE USE OF:**

19                   **(I) COMBINED CHARGING SYSTEMS, UNDER WHICH A**  
20 **STANDARD EV CHARGING CONNECTOR ALLOWS A DIRECT CURRENT FAST CHARGER**  
21 **TO CONNECT TO, COMMUNICATE WITH, AND CHARGE AN ELECTRIC VEHICLE; OR**

22                   **(II) NORTH AMERICAN CHARGING SYSTEMS, UNDER WHICH A**  
23 **TESLA STANDARD EV CHARGING CONNECTOR ALLOWS A DIRECT CURRENT FAST**  
24 **CHARGER TO CONNECT TO, COMMUNICATE WITH, AND CHARGE AN ELECTRIC**  
25 **VEHICLE; AND**

26           **(19) ESTABLISH CIVIL PENALTIES FOR NONCOMPLIANCE WITH THE**  
27 **REGULATIONS.**

28           **(C) REGULATIONS ADOPTED IN ACCORDANCE WITH THIS SECTION SHALL:**

